

Application No. 09/896,733
Amendment "A" dated October 11, 2005
Reply to Office Action mailed August 5, 2005

REMARKS

The Office Action mailed August 5, 2005 considered and rejected claims 1-47.¹ By this paper claims 1, 2, 4, 5, 7, 10, 11, 15-17, 20, 25, 29, 30, 38, 42, and 43 have been amended,² claim 48 has been added,³ claims 3, 14 and 31-37 have been cancelled such that claims 1, 2, 4-13, 15-30, and 38-48 remain pending of which claims 1, 10, 11, 25, and 38 are the only independent claims.

The present application is directed to reducing network traffic by aggregating redundant streaming and real-time media requests by removing redundant requests. For example, claim 1 recites a method for providing streaming media from a wide area network to a plurality of receivers. The method includes receiving at at least one aggregation module a request for real-time streaming media accessible via a wide area network from each of a plurality of receivers. Each request includes an identifier representative of the receiver making the request. The method further includes using the at least one aggregation module, *removing redundant requests* and requesting a single copy of the real-time streaming media from the wide area network. The single copy of the real-time streaming media is buffered at the at least one aggregation module. Using the buffered single copy of the real-time streaming media, the streaming media is delivered to the plurality of receivers.

Claim 10 claims a computer program product including computer readable medium with instructions for performing the acts of claim 1. Claim 11 is similar to claim 1 but varies in scope in at least elements related to aggregation modules, the type of media streamed, and the method for delivering data to receivers. Claim 11 nonetheless recites: "*removing redundant requests* and

¹ Claims 1-7, 10, 11, 15-17, 20, 21, 25, 27, 29, 30, 38, 39 and 43-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Bommaiah et al. (US Pat. No. 6,708,213) ('*Bommaiah*'). Claims 8, 9, 18, 19, 26, 31-33, 56, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Bommaiah* et al. in view of Durana et al. (US Pat. No. 6,018,765) ('*Durana*'). Claims 12-14 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Bommaiah*. Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Bommaiah* in view of McClain et al. (US Pat. No. 6,772,214) ('*McClain*'). Claims 34, 35, 37, and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Bommaiah* in view of *Durana* as applied to claim 33 above and further in view of *McClain*. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Bommaiah* in view of *Durana* in further view of *McClain* as applied to claim 35 above, and further in view of Ullman et al. (US Pat. Pub. No. 2002/0038383) ('*Ullman*'). Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Support for the amendments is found throughout the specification, but particularly at pages 18, 19, 21, and 24

³ Support of the new claim can be found at page 21 of the application.

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requesting a single copy of the streaming media from the network through a proxy module in communication with the aggregation module...." Claim 25 is a computer program product claim with similar scope to the other claims recited herein. Claim 25, however, recites elements in functional means language as outlined in the specification. Claim 25 recites at least "program code means for removing redundant requests and requesting a single copy of the streaming media from a network accessible to the proxy module...." Claim 38 is directed to a *system* for implementing one embodiment of the invention, and includes at least an access module communicating with the plurality of receivers and the source module, the access module being configured to receive the request for media, *aggregate requests by removing redundant requests*, and deliver the requested media in a format selected by the access module based upon changes to the first connection rate as media is delivered to two or more of the plurality of receivers

Bommaiah fails to teach each and every limitation now recited by the claims. For example, each of the claims refers to the aggregation modules functionality of *removing redundant requests and requesting a copy of streaming media*. In other words, the aggregation module receives redundant requests when clients request the same media. The aggregation module removes redundant requests and then downloads the requested media. In direct contrast to what is claimed, *Bommaiah* teaches a system where similar requests are "anticipated" (col. 5, line 64) by a helper server. In other words, *Bommaiah* receives only a single request from one client before downloading content. The system of *Bommaiah* uses a ring buffer to store the downloaded content in anticipation of subsequent requests and so long as a subsequent client request is received before the ring buffer is overwritten, the helper server can deliver the requested content. See *Bommaiah* col. 5, line 42-col. 10 line 5, with particular attention to col. 5, lines 55-65 and col. 6, lines 59-67. Thus, while the claims of the present invention recite removing redundant requests, *Bommaiah* illustrates delivering content when the content is cached at the helper server.

The remaining art cited in the Office Action by the Examiner does not compensate for the deficiencies of *Bommaiah*. *Durana* is cited for showing a system that uses multiple used and unused channels, a cable, television or satellite system, and a remote control. *McClain* is cited for showing rating codes associated with web pages and proxy modules. *Ullman* is cited for showing digital, analog, and textual formats. The references alone or in combination do not teach or suggest *removing redundant requests and requesting a copy of streaming media*.

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Furthermore, although the foregoing remarks have been focused primarily on the independent claims, it will be appreciated that all of the rejections and assertions of record with respect to the independent claims, as well as the dependent claims, are now moot, and therefore need not be addressed individually. However, in this regard, it should be appreciated that Applicant does not necessarily acquiesce to any assertions in the previous Office Action that are not specifically addressed above, and hereby reserves the right to challenge those assertions at any appropriate time in the future, should it arise, including any official notice.

While it is unnecessary to discuss the dependent claims, Applicants point out particularly claims 7 and 48. Claim 7 recites "[a] method as recited in claim 1, further comprising converting the single copy of the streaming media into a standardized media format." Claim 48 recites "[t]he method of claim 7, wherein the standardized media format is at least one of Windows Media, MPEG, Real, AVI, QuickTime, and Cinepak." Applicants point out the particular usefulness of these claims in that streaming media of different formats can be standardized to one format for similar types of receiver devices. These claims have additional novelty above and beyond that of the independent claims. Applicants point out with particularity that such elements are missing from the art cited by the Examiner.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 12 day of October, 2005.

Respectfully submitted,



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